

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please AMEND claims 1-3 and 5-6 and CANCEL claim 4 in accordance with the following:

1. (Currently Amended) An image processing apparatus, comprising:  
an extracting unit ~~to generate~~generating a binary image from image data for each of a plurality of pages and ~~to extract fragments having~~extracting fragment images having continuous pixels from the binary image;  
a determining unit ~~to determine~~determining whether or not ~~an image of a page~~each of the extracted fragment images is an image primary drawn on ~~the page~~each of the pages based on a basis of characteristics of the extracted fragments; and  
an output unit ~~to eliminate image data of~~eliminating a page not containing ~~the~~ image primary drawn and ~~to output image data of~~outputting a page containing an the image primary drawn, wherein  
the determining unit determines that an extracted fragment image is a character image and the image primary drawn when the extracted fragment image has a size of a character, and the size is within a predetermined range of height and width and depends on a read resolution and a font size.

2. (Currently Amended) The image processing apparatus according to claim 1, wherein the extracting unit ~~further comprises~~includes a generating unit ~~to generate~~generating binary data from multi-valued image data, and the generating unit binarizes a pixel of interest ~~on a basis of~~based on at least a relative difference in density between the pixel of interest and adjusting pixels.

3. (Currently Amended) The image processing apparatus according to claim 1, wherein the determining unit further determines whether or not ~~the fragment~~each of the extracted fragment images is ~~the an~~ image primary drawn ~~on the basis of~~based on a size of the

extracted fragments~~fragment images~~.

4. (Cancelled)

5. (Currently Amended) The image processing apparatus according to claim 1, wherein the determining unit further determines that ~~the fragments are image data that is not to be processed in a case that~~ an extracted fragment image is not the image primary drawn when the extracted fragment image ~~has~~ have characteristics corresponding to a filing hole of ~~the~~ an original.

6. (Currently Amended) The image processing apparatus according to claim 1, wherein the determining unit further determines ~~the fragments are image data that is not be processed in a case that~~ an extracted fragment image is not the image primary drawn when the extracted fragments~~fragment image~~ ~~have~~ has characteristics that can appear in a margin of ~~the~~ an original during reading.